



California Technical Bulletin 133, which will be incorporated by reference into the proposed regulatory changes to section 1374, Title 4 of the CCR, establishing higher flammability standards for furniture use in public buildings. (See CRLR Vol. 9, No. 4 (Fall 1989) p. 59 for background information.)

The regulatory amendments will require that after June 1, 1991, all seating furniture sold for use in public occupancy buildings shall meet the test requirements set forth in Technical Bulletin Number 133. Amendments to section 1374.3 will also require labeling changes in conformance with the new standards.

Public hearings on the proposed regulations are tentatively planned for late summer.

Insulation Program. The Bureau is in the final phase of amending sections 1551-1565, Title 24, Part 12 of the State Referenced Standards Code regarding Standards for Insulating Material. (See CRLR Vol. 9, No. 2 (Spring 1989) p. 58 for background information.) The amendments will be presented to the State Building Standards Commission, which is charged with conducting public hearings. The amendments will ultimately be presented to the State Fire Marshal's Office for approval.

LITIGATION:

In *People v. Dyer Woodturnings, Inc.*, No. 362925 (Sacramento County Superior Court), Dyer agreed to pay civil penalties, investigation costs, and attorneys' fees amounting to \$8,970. Dyer, a Mississippi furniture manufacturer, did not admit to any violation of law, although the judgment enjoins Dyer from, among other things, placing upon its upholstered furniture "a label which implies that the furniture complies with the requirements of California law unless in truth and in fact said upholstered furniture does comply with the requirements of California law."

Of the \$8,970 judgment, the Bureau will receive \$1,000 to cover its investigation costs in the matter.

RECENT MEETINGS:

At the Advisory Board's March 13 meeting in Sacramento, Chief Damant announced that the Bureau's 1990-91 budgetary request for a Staff Services Analyst had been conditionally approved by the state Department of Finance. The Department approved funding for the new position for an eighteen-month term, to end December 31, 1991. The Bureau would then be required to demonstrate the "utility of

the position" for further renewal.

Damant said the imposed conditions cause a number of problems, including the difficulty involved in finding a qualified individual willing to accept a potentially temporary position, and the budgetary complications involved in a position which expires in the middle of a fiscal year. Damant noted that the first of the two problems will be more difficult to overcome.

Also at the March 13 meeting, Damant described the Bureau's "Yellow Pages Program," which is intended to detect businesses which have thus far evaded licensing with the Bureau. The program entails checking appropriate businesses listed in the phone book with those listed as licensed with the Bureau. Any business not licensed is sent a letter which explains the requirement and requests compliance. If there is no response following a second letter, a Bureau inspector is sent to the premises. Since July 1989, the program has netted \$10,000 in license fees from otherwise unlicensed activity.

FUTURE MEETINGS:

September 11 in San Francisco.
December 11 in Los Angeles.

BOARD OF LANDSCAPE ARCHITECTS

Executive Officer: Jeanne Brode (916) 445-4954

The Board of Landscape Architects (BLA) licenses those who design landscapes and supervise implementation of design plans. To qualify for a license, an applicant must successfully pass the written exam of the national Council of Landscape Architectural Registration Boards (CLARB), an additional section covering landscape architecture in California, and an oral examination given by the Board. As of January 1, 1990, the oral exam requirement is deleted for all instate applicants. In addition, an applicant must have the equivalent of six years of landscape architectural experience. This may be a combination of education from a school with a Board-approved program in landscape architecture and field experience.

The Board investigates verified complaints against any landscape architect and prosecutes violations of the Practice Act. The Board also governs the examination of applicants for certificates to practice landscape architecture and establishes criteria for approving schools of landscape architecture.

Authorized in Business and Professions Code section 5615 *et seq.*, BLA consists of seven members. One of the members must be a resident of and practice landscape architecture in southern California, and one member must be a resident of and practice landscape architecture in northern California. Three members of the Board must be licensed to practice landscape architecture in the state of California. The other four members are public members and must not be licentiates of the Board. Board members are appointed to four-year terms. BLA's regulations are codified in Chapter 26, Title 16 of the California Code of Regulations (CCR).

MAJOR PROJECTS:

Regulatory Changes. At BLA's March 26 meeting, the Board again considered proposed amendments to section 2620, Chapter 26, Title 16 of the CCR, concerning the educational and experience requirements for licensure applicants. (See CRLR Vol. 10, No. 1 (Winter 1990) p. 73 and Vol. 9, No. 4 (Fall 1989) p. 61 for background information.) Daniel Buntjer, supervising counsel for the Department of Consumer Affairs (DCA), presented the Board with a legal interpretation of section 2620 in conjunction with section 5650 of the Business and Professions Code. Section 5650 requires landscape architect candidates to possess at least six years' training and educational experience to be eligible for the examination. The section also provides that a landscape architecture degree from a Board-approved school is the equivalent of four years training and educational experience. Mr. Buntjer interpreted section 5650 as requiring both education and job experience, thus precluding the Board from granting examination admission to any applicant who has not completed both requirements. The statute also implies that a candidate with a degree from a Board-approved school of landscape architecture must be given at least four years of educational credit. The Board voted to continue its discussion of section 2620 at its May 10 meeting, in order to receive additional public comment prior to adopting any changes.

On May 10, the Board received further legal advice. DCA legal counsel Don Chang interpreted the combination of section 2620 and section 5650 to mean that the Board could not grant more than four years' credit for any single degree in landscape architecture.

Following discussion, the Board approved draft language of amendments to section 2620. The new language would grant four years' credit for either



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a bachelor's or master's degree in landscape architecture from a Board-approved or Landscape Architecture Accreditation Board (LAAB)-accredited school. Candidates possessing both degrees would be granted only four years' credit, because section 5650 requires candidates to have some job-related experience before taking the examination. Degrees from non-Board approved schools will be given no more than three years' credit. Certificate programs are entitled to two years' credit if Board-approved; no credit will be given for non-approved programs. A degree in a field other than landscape architecture will receive two years' credit, and an Associate of Arts degree will receive one year.

Proposed language amending the job experience requirements of section 2620 is scheduled for consideration at the Board's August 3 meeting, and internship credit will be discussed at its October 26 meeting. The new amendments will be combined with previously-adopted amendments to section 2623, regarding appeals of failing scores on the graphic performance section of the exam, and all will be published for public comment as part of the formal rule-making process. (See CRLR Vol. 9, No. 4 (Fall 1989) p. 60 for background information on section 2623.)

LEGISLATION:

AB 3330 (Frazer), as amended June 6, would require certified landscape architects to provide every customer with a detailed written contract. The contract must include a full description of services to be rendered, the names and addresses of all consultants, the date of completion of the work, the total price required to complete the project, and a prominent notice that landscape architects are regulated by the California Board of Landscape Architects. This bill is pending in the Senate Business and Professions Committee.

SB 2899 (Green), as amended May 29, would amend Business and Professions Code section 5681 to increase the maximum fees which may be assessed by the BLA. The examination application fee shall not exceed \$425; the original certificate fee shall not exceed \$400; the temporary certificate fee shall not exceed \$100; the duplicate certificate fee shall not exceed \$50; the renewal fee shall not exceed \$400; the change of address penalty fee shall not exceed \$50; the delinquency fee shall be 50% of the renewal fee for the certificate in effect on the date of the renewal, but not less than \$50 nor more

than \$200; and the fee for filing an application for approval of a school pursuant to section 5650 shall not exceed the cost of the approval process, at any rate not to exceed \$600 charged and collected on a biennial basis. This bill has passed the Senate and is awaiting committee assignment in the Assembly at this writing.

RECENT MEETINGS:

At BLA's March 26 meeting, Board President Robert Hablitzel reported on CLARB's March 9 meeting in Del Mar. CLARB passed a resolution to offer a new exam by 1992, and fund a task analysis over the next two years in support of this exam. Additionally, CLARB exam contracts will be amended to require a 50% advance payment. Legal counsel Don Chang advised that the Board may not make advance payments without specific statutory authority, but that installment payments might be allowable.

The Board passed a resolution directing Mr. Hablitzel to present three items at CLARB's regional meeting in April. BLA wants CLARB to prepare and deliver an examination item analysis to all member states, and to remove the "hold harmless" clause from CLARB's contracts. Additionally, the Board wants its recent candidate survey results to be used in preparation of the California performance section. (See CRLR Vol. 9, No. 4 (Fall 1989) p. 60 and Vol. 9, No. 3 (Summer 1989) p. 53 for background information.)

Also at the March 26 meeting, the Board elected George Gribkoff and Ray Verches, both public members, as the new BLA President and Vice-President, respectively. Outgoing president Robert Hablitzel will remain the Board's delegate to CLARB.

FUTURE MEETINGS:

October 26 in San Diego.

MEDICAL BOARD OF CALIFORNIA

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The Medical Board of California (MBC) is an administrative agency within the state Department of Consumer Affairs. The Board, which consists of twelve physicians and seven lay persons appointed to four-year terms, is divided into three autonomous divisions: Licensing, Medical Quality,

and Allied Health Professions.

The purpose of MBC and its three divisions is to protect the consumer from incompetent, grossly negligent, unlicensed, or unethical practitioners; to enforce provisions of the Medical Practice Act (California Business and Professions Code section 2000 *et seq.*); and to educate healing arts licensees and the public on health quality issues. The Board's regulations are codified in Chapter 13, Title 16 of the California Code of Regulations (CCR).

The functions of the individual divisions are as follows:

MBC's Division of Licensing (DOL) is responsible for issuing licenses and certificates under the Board's jurisdiction; administering the Board's continuing medical education program; suspending, revoking, or limiting licenses upon order of the Division of Medical Quality; approving undergraduate and graduate medical education programs for physicians; and developing and administering physician and surgeon examinations.

The Division of Medical Quality (DMQ) reviews the quality of medical practice carried out by physicians and surgeons. This responsibility includes enforcement of the disciplinary and criminal provisions of the Medical Practice Act. The division operates in conjunction with fourteen Medical Quality Review Committees (MQRC) established on a geographic basis throughout the state. Committee members are physicians, other health professionals, and lay persons assigned by DMQ to investigate matters, hear disciplinary charges against physicians, and receive input from consumers and health care providers in the community.

The Division of Allied Health Professions (DAHP) directly regulates five non-physician health occupations and oversees the activities of eight other examining committees and boards which license non-physician certificate holders under the jurisdiction of the Board. The following allied health professions are subject to the jurisdiction of DAHP: acupuncturists, audiologists, hearing aid dispensers, medical assistants, physical therapists, physical therapist assistants, physician assistants, podiatrists, psychologists, psychological assistants, registered dispensing opticians, research psychoanalysts, speech pathologists, and respiratory care practitioners.

MBC's three divisions meet together approximately four times per year, in Los Angeles, San Diego, San Francisco, and Sacramento. Individual divisions